

CITY OF VANCOUVER  
REGULAR COUNCIL MEETING

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, October 28, 1975, in the Council Chamber, commencing at 2:00 p.m.

PRESENT: Mayor Phillips  
Aldermen Bird, Bowers, Boyce, Cowie, Harcourt,  
Kennedy, Marzari, Rankin, Sweeney and  
Volrich

CLERK TO THE COUNCIL: D.H. Little

PRAYER

The proceedings in the Council Chamber were opened with prayer.

'IN CAMERA' MEETING

The Council was advised that there were matters to be considered 'In Camera' later this day.

ADOPTION OF MINUTES

MOVED by Ald. Volrich,  
SECONDED by Ald. Rankin,

THAT the Minutes of the Regular Council meeting of October 21, 1975, with the exception of the 'In Camera' portion, be adopted.

- CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Ald. Volrich,  
SECONDED by Ald. Boyce,

THAT this Council resolve itself into Committee of the Whole, Mayor Phillips in the Chair.

- CARRIED UNANIMOUSLY

UNFINISHED BUSINESS AND DELEGATIONS

1. Greater Vancouver Convention  
& Visitors' Bureau: Supplementary Grant

City Council on August 12, 1975, when dealing with the Finance and Administration Committee's report of July 31, 1975, re the supplementary grant to the Greater Vancouver Convention and Visitors' Bureau, approved two of the Committee's recommendations and deferred the following recommendation until Council had received the mid-year financial review:

"THAT City Council consider allocating an additional grant of \$50,000 to the Greater Vancouver Convention & Visitors' Bureau for 1975."

Council on September 16, 1975, received the mid-year review.

Mr. J. Hoegg, President of the Bureau, addressed Council this day and submitted a brief dated September 29, 1975, urging the City increase its annual grant of \$100,000 which has remained at this same amount since 1964.

MOVED by Ald. Volrich,

THAT an additional grant of \$25,000 be approved to the Greater Vancouver Convention & Visitors' Bureau.

(Carried)

(Aldermen Boyce, Marzari and Rankin opposed)

cont'd.....

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UNFINISHED BUSINESS AND DELEGATIONS (cont'd)

Greater Vancouver Convention  
& Visitors' Bureau: Supple-  
mentary Grant (continued)

MOVED by Ald. Kennedy in amendment,  
THAT the \$25,000 in Alderman Volrich's motion be struck and  
the amount of \$50,000 be inserted in lieu thereof.

- LOST

(Aldermen Bowers, Boyce, Cowie, Harcourt, Marzari,  
Rankin, Sweeney, Volrich and the Mayor opposed)

The amendment having lost, the motion by Alderman Volrich  
was put and CARRIED BY THE REQUIRED MAJORITY.

2. 4584 West 1st Avenue

The Council considered Clause 3 of the report of the Standing  
Committee on Planning and Development dated October 16, 1975,  
regarding alterations being made to a house at 4584 West 1st Avenue.

Mr. Hardy, a neighbour in the area, filed a brief giving the  
history of the matter and listing options that Council should  
follow in respect of the addition to the property. Dr. Pasparakis,  
the owner of the dwelling in question, and his partner, Mr. Culling,  
both addressed Council explaining their point of view regarding the  
addition. Dr. Hooley, a resident in the area, also spoke against  
the property addition.

MOVED by Ald. Bowers,  
THAT the recommendation of the Committee as contained in  
this Clause of the Committee's report dated October 16, 1975, be  
approved.

- CARRIED

(Aldermen Bowers, Cowie, Sweeney and Volrich opposed)

It was agreed to defer consideration of the following  
Unfinished Business items until this evening's session of  
Council:

- (a) Designation of Heritage Buildings
- (b) Demolition Application for 1085-99 Robson  
Street (784 Thurlow) Manhattan Apartments.

3. Local Improvements: Street and  
Lane Lighting on the Initiative

Following a Court of Revision (Local Improvements) on Thursday,  
October 23, 1975, the Council considered a number of street and lane  
lighting projects on the initiative. At that meeting, the following  
motion by Alderman Rankin was deferred to this meeting of Council  
pending a report from the Director of Finance and the Director of  
Legal Services:

"THAT, excluding the West End area, where any single-  
family properties abut commercial areas, the cost  
of lighting lanes be apportioned to the commercial  
properties only."

Approval of a number of other projects were also deferred to  
this Council meeting.

Council was advised that the officials involved are requesting  
that Council defer the proposed policy change for a few weeks to  
enable them to produce an appropriate report.

cont'd....

UNFINISHED BUSINESS AND DELEGATIONS (cont'd)

Local Improvements: Street and  
Lane Lighting on the Initiative  
(continued)

Council noted a report from the City Manager under date of October 24, 1975, in which the City Engineer recommended a number of projects not affected by the proposed policy change, be approved as follows:

"That

- (a) the light standard projects in Schedule No. 434, Items 1 to 20 and 22 to 27, except the defeated Items 2, 8 and 27 be undertaken;
- (b) the lane lighting projects in Schedule No. 434, Items 21 and 28 to 90, except the defeated Item No. 36, the projects not proceeded with Items 57 and 58, and except the projects containing residential property Items 39, 40, 41, 43, 47, 48, 62, 63, 88, 89 and 90, be undertaken."

MOVED by Ald. Volrich,

THAT the foregoing recommendations of the City Engineer as contained in the City Manager's report of October 24, 1975, be approved.

- CARRIED UNANIMOUSLY

MOVED by Ald. Volrich,

THAT the motion as submitted by Alderman Rankin at the Special Council meeting on October 23, 1975, be deferred further until the officials involved submit an appropriate report.

- CARRIED UNANIMOUSLY

4. Downtown Eastside Rezoning

Following a Public Hearing on October 23, 1975, and having heard representations and received briefs from all wishing to speak on the matter of Downtown Eastside Rezoning, Council took action as follows:

"Moved,

THAT the rezoning application be approved.

(Deferred)

Moved in amendment,

THAT the following be added to Clause (ii) on Page 3 of the application for rezoning by the Director of Planning:

'However, expansion into adjacent lots is permitted if in the opinion of the Director of Planning

- (a) the industrial use is compatible with nearby residential uses
- (b) the expansion does not involve the demolition of residential units except by special permission of Council.'

- Carried

Moved,

THAT further consideration of this matter be deferred to the regular meeting of Council on October 28, 1975.

- Carried."

cont'd....

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UNFINISHED BUSINESS AND DELEGATIONS (cont'd)

Downtown Eastside Rezoning  
(continued)

Pursuant thereto, the Council noted a memorandum from the Mayor dated October 24, 1975, and a letter from Central Mortgage and Housing Corporation dated October 27, 1975, concerning the clarification of N.I.P. funds which had been the matter of debate during the Public Hearing.

After due consideration, it was

MOVED by Ald. Bowers in amendment,

THAT the Director of Legal Services and Director of Planning re-draft the By-law so that in the portion of the affected area which flanks both sides of Main Street, offices shall be permitted as an additional out-right use.

- LOST

(Aldermen Bird, Boyce, Kennedy, Marzari, Rankin and Sweeney opposed)

The amendment as submitted by Alderman Bowers this day having lost, the motion as amended on October 23, 1975, and reading as follows was put and CARRIED:

"THAT the rezoning application be approved, after adding to Clause (ii) on Page 3 of the application for rezoning by the Director of Planning, the following:

'However, expansion into adjacent lots is permitted if in the opinion of the Director of Planning

- (a) the industrial use is compatible with nearby residential uses
- (b) the expansion does not involve the demolition of residential units except by special permission of Council."

(Aldermen Bird, Bowers, Kennedy and Sweeney opposed)

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Council recessed at 3:50 p.m., and following an 'In Camera' meeting in the Mayor's Office, reconvened in open session in the Council Chamber at approximately 4:20 p.m.

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COMMUNICATIONS OR PETITIONS

1. Polling District Changes  
for 1976

In a memorandum to Council dated October 21, 1975, the City Clerk suggested that he take action to re-distribute a limited number of polling districts in preparation for the 1976 Civic Election. It was stated that a general review of all polling districts is becoming necessary because of residential changes and difficulties in locating adequate polling places. However, this is a very large job and cannot be considered for this coming election.

The City Clerk recommended that Council approve the necessary action being taken in respect of the limited number of polling district changes proposed for 1976; the funds in connection therewith being available within the City Clerk's budget.

cont'd....

COMMUNICATIONS OR PETITIONS (cont'd)

Polling District Changes  
for 1976 (continued)

MOVED by Ald. Volrich,

THAT the recommendation of the City Clerk as contained in his memorandum dated October 21, 1975, be approved, and the necessary By-law amendment be submitted in due course.

- CARRIED UNANIMOUSLY

CITY MANAGER'S AND OTHER REPORTS

A. MANAGER'S GENERAL REPORT  
OCTOBER 24, 1975

Works & Utility Matters  
(October 24, 1975)

The Council considered this report which contains two  
Clauses identified as follows:

Cl. 1: Lease of portion of Lane South of 8th Avenue,  
East of Yew Street abutting Lots 1 and 2,  
Block 324, D.L. 526, Plan 590

Cl. 2: Application for Sidewalk Crossing

The Council took action as follows:

Clauses 1 and 2

MOVED by Ald. Bird,

THAT the recommendations of the City Manager contained in  
Clauses 1 and 2 be approved.

- CARRIED UNANIMOUSLY

Building & Planning Matters  
(October 24, 1975)

The Council considered this report which contains two  
Clauses identified as follows:

Cl. 1: 4658 Bellevue Drive - Contravention of  
Zoning By-law

Cl. 2: Strathcona Evaluation Study

The Council took action as follows:

4658 Bellevue Drive - Contravention  
of Zoning By-law (Clause 1)

MOVED by Ald. Harcourt,

THAT this Clause be received for information.

- CARRIED UNANIMOUSLY

Strathcona Evaluation Study  
(Clause 2)

MOVED by Ald. Harcourt,

THAT the recommendation of the City Manager contained in  
this Clause be approved.

- CARRIED

(Aldermen Bird, Boyce, Kennedy and Sweeney opposed)

CITY MANAGER'S AND OTHER REPORTS (cont'd)

Finance Matters  
(October 24, 1975)

The Council considered this report which contains two  
Clauses identified as follows:

- Cl. 1: Legal Expenses, G. Grierson
- Cl. 2: Water Street Beautification Program

The Council took action as follows:

Legal Expenses, G. Grierson  
(Clause 1)

MOVED by Ald. Bird,  
THAT the request of the Park Board for Council to pay for  
any reasonable legal expenses incurred by Mr. Grierson as a  
result of defending himself against the charge that has been  
laid against him while he was in pursuit of his duties, be  
granted.

- CARRIED UNANIMOUSLY

Water Street Beautification  
Program (Clause 2)

MOVED by Ald. Bird,  
THAT the recommendation of the City Manager contained in  
this Clause be approved.

- CARRIED UNANIMOUSLY

Property Matters  
(October 24, 1975)

The Council considered this report which contains three  
Clauses identified as follows:

- Cl. 1: Property Endowment Fund - Miscellaneous Account
- Cl. 2: Hudson Street Crossing Expropriation of Lane on  
N/W Corner of S.W. Marine Drive and Hudson  
Street
- Cl. 3: Park Board Rental Properties

The Council took action as follows:

Clauses 1 and 2

MOVED by Ald. Volrich,  
THAT the recommendations of the City Manager contained in  
Clauses 1 and 2 be approved.

- CARRIED UNANIMOUSLY

Park Board Rental Properties  
(Clause 3)

In considering this Clause, Council felt that the Park Board's  
request was for information purposes and therefore, it was

MOVED by Ald. Volrich,  
THAT the request of the Park Board as contained in this  
Clause be granted.

- CARRIED UNANIMOUSLY

I. Report of Standing Committee  
on Community Services,  
October 16, 1975

Edith Cavell Hospital -  
For Sale (Clause 1)

MOVED by Ald. Rankin,  
THAT this Clause be received for information.

- CARRIED UNANIMOUSLY

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CITY MANAGER'S AND OTHER REPORTS (cont'd)

II. Report of Standing Committee  
on Planning and Development,  
October 16, 1975

The Council considered this report which contains three  
Clauses identified as follows:

- Cl. 1: Gastown Historic Area - Economic Study
- Cl. 2: Fairview Planning Program - Status Report
- Cl. 3: 4584 West 1st Avenue

The Council took action as follows:

Clauses 1 and 2

MOVED by Ald. Bowers,  
THAT Clause 1 be received for information and the recommendation  
of the Committee contained in Clause 2 be approved.

- CARRIED UNANIMOUSLY

4584 West 1st Avenue  
(Clause 3)

For Council action on this Clause, see page 2.

III Illegal Suites:  
& Hardship Cases  
IV

The Committee of Officials concerning Illegal Suites - Hardship  
Cases, submitted the following reports under dates of October 17,  
1975, and October 24, 1975:

- (a) The following applications recommended for approval by the  
Sub-Committee be approved:

Lynn M. Stanleigh (tenant), 1906 Trafalgar Street  
Mrs. Winifred MacCormack (owner), 3505 East 22nd Avenue  
Mrs. U. M. Kantonen (tenant), 687 West 71st Avenue  
Gordon Geler (tenant), 2775 Oliver Crescent  
Bhulabhai Amratlal (owner), 1167 East 19th Avenue

- (b) the following applications be approved for one year from the  
date of this Resolution:

Michael Sturdy (tenant), 2575 West 1st Avenue  
Harbans L. Auluck (owner), 2785 East 54th Avenue  
Abdul K. Rahemtula (owner), 737 East 21st Avenue  
Deborah Ward (tenant), 3626 Quesnel Drive  
Gordon M. Worsley (tenant), 1974 Turner Street  
Shirley C. Sinclair (tenant), 4295 Sophia Street  
Heather Andrews & Anna-Marie Bratlee (tenants), 1329 Walnut Street  
Charanjit Basra (tenant), 5135 Aberdeen Street  
Jane Pycus (tenant), 1753 East 49th Avenue  
Valerie E. Wilson (tenant), 611 East 53rd Avenue

- (c) the following applications be approved for six months from  
the date of this Resolution:

George Petrescue (owner), 3556 East 22nd Avenue  
Ruth Anne Cridland (tenant), 2891 West 29th Avenue  
Phyllis A. Anderson (tenant), 2891 West 29th Avenue  
Rene Damour (tenant), 3437 Kingsway

- (d) in respect to the above mentioned, the City Building Inspector  
be instructed to withhold enforcement action and to carry out  
the policy as adopted by Council on December 17, 1963, and  
as amended by Council on November 10, 1964."

cont'd....

CITY MANAGER'S AND OTHER REPORTS (cont'd)

Illegal Suites: Hardship  
Cases (continued)

- (e) the following applications be not approved:

Amrik S. Nijjar (owner), 3174 Kings Avenue  
Gulamhusein A. Jiwa (owner), 5088 Moss Street  
Baldev & Harinder Shokar (owners), 4150 Elgin Street

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- (a) The following applications recommended for approval by the Sub-Committee be approved:

Judith Shui-Fong Man (tenant), 2963 Graveley Street  
M. S. Garcha (tenant), 2125 East 38th Avenue  
Hugh W. MacPherson (tenant), 3838 Nanaimo Street

- (b) the following applications be approved for one year from the date of this Resolution:

Bipin Chandra & Premlata Mehta (owners), 2342 East 54th Avenue  
David A. Berghofer (tenant), 1842 Stephens Street  
Perry W. Abbey & Doborah G. Mulhall (tenants), 2486 West 8th Avenue  
Paul J. C. Tilbrook (tenant), 3525 West 8th Avenue  
Phillip David Byrne (owner), 1747 Trafalgar Street  
Alev Day (tenant), 5292 Cambie Street  
Susanne D. Healey (tenant), 1747 Trafalgar Street  
Catherine Gisborne (tenant), 4157 West 14th Avenue  
Kathy Branston (tenant), 8564 Oak Street  
Filip Dragun (owner), 5312 Prince Albert  
Garcia M. Jaime (tenant), 2432 West 5th Avenue  
Lenora McRobb (owner), 5215 Elgin Street

- (c) the following applications be approved for six months from the date of this Resolution:

Richard Elezam (tenant), 2436 West 1st Avenue  
Jacques LeBlanc (tenant), 2432 West 5th Avenue

- (d) in respect to the above mentioned, the City Building Inspector be instructed to withhold enforcement action and to carry out the policy as adopted by Council on December 17, 1963, and as amended by Council on November 10, 1964."

- (e) the following applications be not approved:

Albert Reginald Rayner (owner), 3513 East 22nd Avenue  
B. Tsalamandris (owner), 354 West 14th Avenue  
Sherman H. Jung (owner), 4663 Cambie Street

MOVED by Ald. Bowers,

THAT recommendations (a) to (e) inclusive, contained in the foregoing reports of the Committee of Officials dated October 17, 1975, and October 24, 1975, be approved.

- CARRIED UNANIMOUSLY



G.V.R.D. Matters

There were no comments with respect to G.V.R.D. Matters insofar as the Regional District Meeting for October 29, 1975, is concerned.

COMMITTEE OF THE WHOLE

MOVED by Ald. Harcourt,  
THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

MOVED by Ald. Harcourt,  
SECONDED by Ald. Sweeney,  
THAT the report of the Committee of the Whole be adopted.

- CARRIED UNANIMOUSLY

MOTIONS

A. Allocation of Land for Road Purposes (1205 Rossland)

MOVED by Ald. Boyce,  
SECONDED by Ald. Volrich,  
THAT WHEREAS the registered owner has conveyed to the City of Vancouver, for road purposes, the following described lands:

West Four feet of Lot 16, Block 4 in the South East Quarter of Section 23, Town of Hastings Suburban Lands, Plan 4819

(1205 Rossland)

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes;

THEREFORE BE IT RESOLVED THAT the above described lands so conveyed be, and the same are hereby accepted and allocated for road purposes, and declared to form and constitute portions of road.

- CARRIED UNANIMOUSLY

B. Allocation of Land for Road Purposes (1221 Rossland)

MOVED by Ald. Boyce,  
SECONDED by Ald. Volrich,  
THAT WHEREAS the registered owner has conveyed to the City of Vancouver, for road purposes, the following described lands:

West Four Feet of Lot 14, Block 4 in the South East Quarter of Section 23, Town of Hastings Suburban Lands, Plan 4819

(1221 Rossland)

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes;

THEREFORE BE IT RESOLVED THAT the above described lands so conveyed be, and the same are hereby accepted and allocated for road purposes, and declared to form and constitute portions of road.

- CARRIED UNANIMOUSLY

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MOTIONS (cont'd)

Change in Park Board Autonomy

At the last meeting of Council on October 21, 1975, Alderman Sweeney submitted a Notice of Motion with respect to a change in the autonomy of the Park Board.

With the permission of Council, Alderman Sweeney withdrew his proposed motion.

NOTICE OF MOTION

The following Notice of Motion was submitted by Alderman Kennedy and recognized by the Chair:

Information re Harbour  
Park Property

MOVED by Ald. Kennedy,

THAT WHEREAS there have been a number of enquiries respecting the transfer of shares and assets to the City from Harbour Park Developments Limited;

AND WHEREAS it would appear to be in the interest of the City that such enquiries be properly answered with the facts relating thereto;

THEREFORE BE IT RESOLVED THAT the following information be made available to the public on request:

Council Minutes and Resolutions, including  
'In Camera' Minutes

Administrative Documents, including City  
Manager and Department Head reports

Correspondence

Agreements or Understandings

and any other ancillary information

all pertaining to the transfer of shares and assets to the City from Harbour Park Developments Limited.

(Notice)

ENQUIRIES AND OTHER MATTERS

Alderman Marzari -  
Leave of Absence:  
Mr. W. Morrison

advised that she had received a request from the C.U.P.E. Local 1004 that Mr. Morrison, a Civic employee, be granted leave of absence with pay by the City to attend future meetings of the Special Committee re Equal Opportunity Program of which Mr. Morrison was a member.

MOVED by Ald. Marzari,  
SECONDED by Ald. Rankin,

THAT the request of C.U.P.E. Local 1004 as stated in their letter of October 14, 1975, be granted and, therefore, Mr. Morrison be granted leave of absence with pay.

- CARRIED UNANIMOUSLY

ENQUIRIES AND OTHER MATTERS (cont'd)

Alderman Sweeney -  
Outdoor Burning

referred to telephone calls he had received complaining that homeowners had been unable to take advantage of outdoor burning last weekend because of adverse weather conditions. He suggested that Council consider later dates for a "fall clean-up" and requested the Administration to report on this aspect. The Mayor directed the City Manager to report on this matter to the Housing and Environment Committee meeting on November 6, 1975.

Condolences

MOVED by Ald. Bird,  
SECONDED by Ald. Sweeney,

THAT a letter of condolence be sent on behalf of the Council to the family of the late Basil Nixon, former Provincial Fire Marshal.

- CARRIED UNANIMOUSLY

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The Council recessed at approximately 4:50 p.m. to reconvene at 7:30 p.m.

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The Council reconvened in the Council Chamber at approximately 7:30 p.m., with Deputy Mayor Harcourt in the Chair and the following members present:

PRESENT: Deputy Mayor Harcourt  
Aldermen Bird, Bowers, Boyce, Cowie, Kennedy,  
Marzari, Rankin, Sweeney and Volrich

ABSENT: Mayor Phillips

CLERK TO THE COUNCIL: M. Kinsella

COMMITTEE OF THE WHOLE

MOVED by Ald. Boyce,  
SECONDED by Ald. Bowers,

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Harcourt in the Chair.

- CARRIED UNANIMOUSLY

UNFINISHED BUSINESS AND DELEGATIONS (cont'd)

Designation of Heritage Buildings

Council had for consideration, a list of 25 buildings, 13 of which Council's Heritage Committee recommended be designated as "A" Category buildings and 12 of which were recommended for "B" Category designation.

Council at its meeting on August 26, 1975, had resolved to consider only the "A" buildings for designation and review the "B" buildings for information only.

The Chairman of the Heritage Committee, Mr. Cole Harris, gave a 15-minute introductory presentation with the aid of slides.

cont'd....

UNFINISHED BUSINESS AND DELEGATIONS (cont'd)Designation of Heritage Buildings  
(continued)

The Deputy Mayor called for delegations and representations were heard as follows:

- Mr. Doug Garnett, owner of the William Elms House at 1125 West 7th Avenue (recommended for "B" designation) stated he is uncertain about the effects of designation, but would not object to designation if it can be undesignated at a future date should he plan redevelopment. He suggested designation could be an economic hardship.
- Mr. Errol Fisher, presented a brief which stated designation of the James England House at 2300 Birch (recommended for "A" designation) would be a distinct economic disadvantage to the owner. His brief suggested four methods, including tax exemption and transfer of development rights to compensate for any economic loss to the owner which might result from designation. He stated designation would put a ceiling on his plans for the property.
- Vancouver School Trustee J.A. Lavin, representing the School Board, spoke to the Heritage Committee's recommendation that Lord Strathcona School at 592 East Pender Street be designated a "A" heritage building. He questioned which portion of the five-part building is to be designated, what the School Board's rights and responsibilities are if the School is designated, whether the Board will be permitted to modernize the building and whether the Board is responsible for maintaining the building if it eventually becomes obsolete and is replaced by a new school.
- Mr. Leslie Peterson presented a brief on behalf of Sunco Enterprises Ltd., owners of the Manhattan Apartments at 784 Thurlow (recommended for "B" designation) which requested the building be excluded from designation as it does not meet existing building codes or fire By-laws. The brief stated further that to meet these standards, it would be necessary to completely raze the inside of the building at a cost in excess of \$1 million which is well beyond the economic capability of the owner.
- A woman spoke in opposition to the designation of a house at 1151 West 8th Avenue (recommended for "A" designation) until it is more fully explained what designation involves.
- Mr. Crystal of British Pacific Building Ltd., owners of the Marine Building told Council the owner has no objection to designation of the Marine Building as an "A" Category heritage structure.
- Mr. Adolf Skog presented a brief stating he and Mr. Uno Langman, owners of Century House or the Canada Permanent Building at 432 Richards, are basically in agreement with designation but such designation could have a significant effect on the adjacent property they own.

Following further deliberations, it was

MOVED by Ald. Volrich,

THAT designation of any buildings as heritage structures be deferred until the various economic considerations are resolved.

- LOST

(Aldermen Bowers, Boyce, Cowie, Harcourt, Marzari and Rankin opposed)

cont'd....

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UNFINISHED BUSINESS AND DELEGATIONS (cont'd)

Designation of Heritage Buildings  
(continued)

MOVED by Ald. Cowie,

THAT Hodson Manor at 1254 West 7th Avenue be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED UNANIMOUSLY

MOVED by Ald. Cowie,

THAT the James England House at 2300 Birch be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Aldermen Bird, Kennedy, Sweeney and Volrich opposed)

MOVED by Ald. Cowie,

THAT Fairview House at 1151 West 8th Avenue be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Aldermen Bird, Kennedy, Sweeney and Volrich opposed)

MOVED by Ald. Cowie,

THAT the Marine Building at 355 Burrard Street, be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Alderman Kennedy opposed)

MOVED by Ald. Cowie,

THAT the Hotel Vancouver at 900 West Georgia Street be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Aldermen Bird, Kennedy and Sweeney opposed)

MOVED by Ald. Cowie,

THAT the B.C. Permanent Loan Building at 330 West Pender Street be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Aldermen Bird, Kennedy and Sweeney opposed)

MOVED by Ald. Cowie,

THAT the Canada Permanent Building (Century House) at 432 Richards Street be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Aldermen Bird, Kennedy, Sweeney and Volrich opposed)

cont'd....

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UNFINISHED BUSINESS AND DELEGATIONS (cont'd)

Designation of Heritage Buildings  
(continued)

MOVED by Ald. Cowie,

THAT the Vancouver Block at 736 Granville Street be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Aldermen Bird, Kennedy, Sweeney and Volrich opposed)

MOVED by Ald. Cowie,

THAT the Winch Building at 739 West Hastings Street be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Aldermen Bird, Kennedy and Sweeney opposed)

MOVED by Ald. Cowie,

THAT the Beatty Street Drill Hall at 620 Beatty Street be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Aldermen Kennedy and Sweeney opposed)

MOVED by Ald. Cowie,

THAT the Sylvia Hotel at 1154 Gilford Street be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Aldermen Bird, Kennedy and Sweeney opposed)

MOVED by Ald. Cowie,

THAT City Hall at 453 West 12th Avenue be designated as a heritage structure and the Director of Legal Services prepare and submit to Council the necessary By-law to so designate.

- CARRIED

(Alderman Kennedy opposed)

MOVED by Ald. Bowers,

THAT consideration of the designation of Lord Strathcona School at 592 East Pender Street as a heritage building be deferred pending receipt of further information from the Heritage Committee as to what portion of the school the Heritage Committee is recommending be designated.

- CARRIED UNANIMOUSLY

Council instructed the Director of Legal Services that when he submits the necessary By-law to designate the buildings considered this day as heritage structures, he also bring forward a By-law to de-designate the Immigration Building as a heritage structure.

cont'd....

UNFINISHED BUSINESS AND DELEGATIONS (cont'd)

Designation of Heritage Buildings  
(continued)

MOVED by Ald. Bowers,  
THAT the owners of the following buildings which the Heritage Committee has recommended for "B" Category designation, be notified that in the opinion of Council, these buildings are of historical value;

FURTHER THAT applications for demolition permits on these buildings must be reported to Council and such demolition permit applications will be withheld for 90 days:

Vancouver Club	915 West Hastings Street
Chalmers Church	2801 Hemlock Street
St. Luke's Home	309 East Cordova Street
William Elms House	1125 West 7th Avenue
House	1301 West 7th Avenue
Hudson's Bay Insurance Co. Building	924 West Hastings Street
Georgia Hotel	801-15 West Georgia Street
Roedde House	1415 Barclay Street
Manhattan Apartments	784 Thurlow Street
Alberta Lumber Co. Office	790 West 6th Avenue
Brock House	3875 Point Grey Road
Takehara Tenements	1017 West 7th Avenue.

- CARRIED

(Aldermen Bird, Kennedy and Sweeney opposed)

Demolition Application for  
1085-99 Robson Street (Manhattan Apartments)

Council had before it for consideration, a Manager's report dated July 15, 1975, on a demolition application for 1085-99 Robson Street, which had not been acted upon previously by Council pending the appearance of a delegation representing the owner of the Manhattan Apartments.

Mr. Leslie Peterson, representing the owner, earlier this evening made a submission as to the position of the owner of this building.

MOVED by Ald. Rankin,  
THAT the demolition application for the Manhattan Apartments at 1085-99 Robson Street be withheld for the 90 days permitted in the City Charter.

- CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Ald. Rankin,  
THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

MOVED by Ald. Rankin,  
SECONDED by Ald. Bowers,  
THAT the report of the Committee of the Whole be adopted.

- CARRIED UNANIMOUSLY

- - - - -

The Council adjourned at approximately 9:40 p.m.

\* \* \* \* \*

The foregoing are Minutes of the Regular Council meeting  
of October 28, 1975, adopted on November 4, 1975.

*A. Phillips*  
MAYOR

*J. H. Lill*  
CITY CLERK



WORKS & UTILITY MATTERS  
CITY ENGINEER'S REPORT

RECOMMENDATIONS:

1. Lease of portion of the lane South of 8th Avenue, East of Yew Street abutting Lots 1 and 2, Block 324, D.L. 526, Plan 590

The City Engineer reports as follows:

"An application has been received from the owner of Lots 1 and 2, Block 324, D.L. 526, to lease back the south 10 feet of Lots 1 and 2 which is to be dedicated for lane purposes by subdivision plan. This dedicated portion will not be required for lane purposes in the near future, as the 10 foot strips in the balance of the block have yet to be acquired. The applicant wishes to use this portion of lane for access to his garbage container situated near the southeast corner of his lot.

I RECOMMEND that upon dedication of the South 10 feet of Lots 1 and 2, Block 324, D.L. 526, for lane, that the said dedicated portion be closed, stopped up, and leased to the abutting owner, subject to the following conditions:

- (a) The term of the lease to be 10 years with a one month notice of cancellation if the area is required for municipal purposes.
- (b) The rental to be \$10 for the term of the lease.
- (c) The lease area to be kept in neat and tidy condition.
- (d) No structure to be erected on the lease area.
- (e) The lessee to be responsible for drainage of the lease area.
- (f) Agreements to be satisfactory to the Director of Legal Services and the City Engineer."

The City Manager RECOMMENDS that the foregoing be approved.

2. Application for Sidewalk Crossing

The City Manager submits the following report of the Director of Legal Services:

"Mr. and Mrs. Lawrence Bradshaw of 3617 West 48th Avenue have requested that the Engineering Department install a sidewalk crossing to service their residential property. The City Engineer is apprehensive about carrying out this work because the topography of the Bradshaw lot and the City street are such that a sidewalk crossing of usual design would greatly increase the probability of run-off water from the street flooding not only the Bradshaw property but surrounding properties as well.

The Bradshaws have indicated a willingness to have the crossing installed on the understanding that they will enter into an agreement with the City whereby they agree to save harmless and indemnify the City against all damage to their own and surrounding properties caused by flooding directly attributable to the new crossing. Such an agreement would be framed so as to charge the Bradshaw property as security for performance of their indemnity agreement and such charge would run with the land and be binding upon subsequent purchasers of the property.

It is RECOMMENDED that the City enter into an agreement with the Bradshaws whereby they would agree to indemnify and save harmless the City of Vancouver against all damage caused by flooding attributable to the installation of a sidewalk crossing by the City Engineering Department, such agreement to be to the satisfaction of the City Engineer and the Director of Legal Services and such agreement to be in addition to all other requirements of the Engineering Department in connection with sidewalk crossings."

The City Manager RECOMMENDS that the foregoing recommendation of the Director of Legal Services be approved.

BUILDING & PLANNING MATTERS

A-4

INFORMATION

1. 4658 Bellevue Drive - Contravention of Zoning By-law.

Letters have been received from approximately thirty-two (32) citizens in the vicinity of 4658 Bellevue Drive objecting to the use of this property as other than a single family residence.

The Director of Permits and Licenses reports that: -

"Inspections show that the house is a two storey and basement building having three bedrooms and a three-piece bathroom in the basement; kitchen, TV room, two dining rooms, living room and a two-piece bathroom on the main floor; and a TV room, three bedrooms and a three-piece bathroom on the second floor.

The premises are used as a fraternal club and the House Master, Mr. D. McArthur advises that fourteen people (students) live in the building, nine were present at the time of inspection. There are two off-street parking spaces at the rear of the building.

Mr. McArthur in the presence of the other persons was advised of the contravention of the Zoning and Development By-law to the effect that the premises must be restored to the status of a single family dwelling. The appropriate notification regarding this matter is being sent to both the landlord and the tenants."

The City Manager submits the report of the Director of Permits and Licenses for Council's INFORMATION.

RECOMMENDATION

2. Strathcona Evaluation Study.

The Director of Planning reports as follows:

"The Vancouver City Council on June 8, 1974 approved the following recommendation of the Board of Administration (Building and Planning Matters) of January 4, 1974:

'Accordingly, it is RECOMMENDED that the City approve the carrying out of an evaluation study of the Strathcona Project and authorize expenditure of the City's share of this work in an amount not to exceed \$4,125, the source of funds to be the Urban Renewal Capital Funds allocated to the Strathcona Rehabilitation Project, it being understood that a further recommendation on Stage 2 will be forthcoming during 1974.'

This recommendation followed consideration by the Strathcona Rehabilitation Committee of a proposed study, with costs shared between the City and the senior governments, to provide a comprehensive evaluation of the project which would be of assistance in developing new approaches in urban renewal. The Committee recommendation of December 19, 1973 which formed the basis for Council's approval was as follows:

Cont'd.

Clause No. 2 Continued.

'THAT the proposal and budget set out by Mr. Larry Bell of UCS in a report entitled "Evaluative Study Design" dated December 19, 1973, be approved and the necessary arrangements be made to start as soon as possible, for a total cost not to exceed \$16,500 in Stage 1, and the estimate of \$15,000 for Stage 2 to be reviewed at the conclusion of Stage 1.'

Briefly, the study as described in 'Evaluative Study Design: Report to the Strathcona Rehabilitation Committee' referred to above, was to be done in two stages. Stage 1 is an historical review including evaluation, project administration, and details of the program. Stage 2 as described in the study design, would be an update of the economic analysis (e.g. real estate turnover and prices) and measurement of consumer satisfaction, and a retrospective study of the social organization in the neighbourhood. The intention was that Stage 1 be completed before mid-1974 and that there would then be a pause of approximately six months before Stage 2 would be commenced to allow it to take advantage of further practical experience of the operation of the project.

Stage 1 was considerably delayed from the timing originally anticipated. A draft was received at the end of July this year, and circulated to members of the Strathcona Rehabilitation Committee. The Committee on October 8, 1975 considered this draft and the comments from individual members of the Committee. The reaction was generally favourable and the comments were largely regarding matters of detail. The Committee recommended that these comments be supplied immediately to the consultant with the request that he complete the final report within thirty days.

Earlier this year, the Deputy Director of Planning, then Chairman of the Strathcona Rehabilitation Committee, solicited proposals from consultants for Stage 2 in anticipation of completion of Stage 1 in the early summer, with a view to moving quickly to completion of the whole study, if possible by the end of the year. The Strathcona Rehabilitation Committee interviewed potential consultants on June 5, 1975.

On October 8, 1975, the Committee, having reviewed the detailed submissions made, recommended that the firm of Ptarmigan Planning (L. Hurwitz and A. Levitan) be appointed for this work in accordance with the terms of their

letters of June 3, July 7, and October 7, 1975. The estimated cost of the work is \$18,950. This estimate includes the cost of 300 copies of a three-page summary and ten copies of the final report.

The representatives of C.M.H.C. and the Province on the Strathcona Rehabilitation Committee have authority to approve expenditures of this kind within the overall project budget. However, the approval of City Council is necessary in regard to the City's share.

Accordingly, it is recommended that the City approve the carrying out of Stage 2 of the Evaluation Study of the Strathcona Rehabilitation Project and authorize the expenditure of the City's share of cost of this work in an amount not to exceed \$4,737.50, the source of City funds being the Urban Renewal Capital Funds allocated to the Strathcona Rehabilitation Project."

The City Manager RECOMMENDS that the report of the Director of Planning be approved.

FOR COUNCIL ACTION SEE PAGE(S) 354

FINANCE MATTERS

A-7

CONSIDERATION

1. Legal Expenses, G. Grierson.

The Director of Legal Services reports as follows:

"The following communication has been received from the Park Board:

'On Friday, February 21, 1975, Mr. Greg Grierson, Park Board entrance supervisor at Killarney Community Centre, was involved in an incident whereby Dale Herback refused to leave the centre at closing time and received loosened front teeth, and his parents have laid a charge of assault on behalf of their son against the entrance supervisor, Greg Grierson. The Superintendent has referred the matter to Mr. R.R. Maitland, lawyer, to defend Mr. Grierson similarly to the previous incident involving entrance supervisor Tom Cooper at Killarney Community Centre on December 4, 1974.

It was regularly moved and seconded,

RESOLVED: That the Board request City Council to pay for any reasonable legal expenses that Mr. Grierson incurs as a result of defending himself against the charge that has been laid against him while he was in pursuit of his duties. - Carried. '

The letter refers to a similar incident involving one T. Cooper. In that case Council passed the following resolution unanimously:

'That the City pay any reasonable legal expenses that Mr. Cooper incurs as a result of defending himself against a charge that has been laid against him while in pursuit of his duties.'

The question of indemnifying Mr. Grierson is submitted for Council's consideration."

The City Manager submits the foregoing report of the Director of Legal Services for Council's CONSIDERATION.

RECOMMENDATION

2. Water Street Beautification Program.

The Director of Legal Services and the City Engineer report as follows:

"Pursuant to a report of the Director of Legal Services dated April 4, 1975 Council agreed to lease from C.P.R. and Marathon Realty on an interim year-to-year lease a strip of land north of Water Street for lane access. The interim arrangement was to stand only until C.P.R. was in a position to provide the City with a 99-year lease of this strip at a nominal \$1.00 per year rent with the City paying the taxes. The Water Street Beautification program had been considered by City Council July 8, 1974 pursuant to a departmental report of the Director of Planning and the City Engineer dated July 3, 1974.

Cont'd.

Manager's Report, October 24, 1975

FINANCE

Clause No. 2 Continued.

Project 200 Properties Ltd., a subsidiary of Marathon Realty and C.P.R., has completed construction of a new building on the north side of Water Street between Cambie and Abbott Streets which building has six bay windows that encroach onto Water Street. Part of the overall agreement with C.P.R., Marathon Realty and Project 200 Properties is that the City will provide Project 200 Properties Ltd. with an encroachment agreement concerning the six bay windows. Pursuant to a departmental report of the City Engineer dated July 4, 1975, Council resolved on July 8, 1975 that the six bay windows be validated in accordance with the encroachment by-law but that the rent therefor be a nominal \$1.00 per year which is equal to the rent payable by the City to C.P.R. for lease of the laneway north of Water Street. Project 200 Properties Ltd. is now apprehensive about the standard form of encroachment agreement which provides that it can be cancelled at any time by the City Engineer. Project 200 Properties Ltd. is now requesting that the encroachment agreement concerning the six bay windows include the provision that it cannot be cancelled by the City unless and until the building is demolished.

Accordingly it is RECOMMENDED that the City enter into an encroachment agreement with the owner of the building concerning the six bay windows, such agreement to provide that it cannot be cancelled by the City unless and until the building is demolished and such agreement to reflect the Council resolution of July 8, 1975, and otherwise to be to the satisfaction of the City Engineer and the Director of Legal Services."

The City Manager RECOMMENDS that the foregoing recommendation be approved.

FOR COUNCIL ACTION SEE PAGE(S) 355

PROPERTY MATTERS

RECOMMENDATION

1. Property Endowment Fund  
- Miscellaneous Account

The Acting Supervisor of Property & Insurance reports as follows:-

"On June 17, 1975, Council approved the establishment of the Property Endowment Fund Board for the purpose of managing certain City-owned lands to produce a reasonable return on the City's investment in properties consistent with the City's planning and development objectives,

Certain miscellaneous expenses such as appraisal fees, costs incurred in advertising the sale or lease of properties, etc., will be incurred in some instances, and funds are required to cover these charges.

It is

RECOMMENDED that an account be established in the amount of \$5,000.00 to cover miscellaneous expenses incurred with respect to the Property Endowment Fund lands, the source of funds to be the Property Endowment Fund. Normal City procedures will govern expenditures of these funds."

The City Manager RECOMMENDS that the foregoing recommendation of the Acting Supervisor of Property & Insurance be approved.

2. Hudson Street Crossing Expropriation of Lane on North-West Corner of South West Marine Drive and Hudson Street

The Director of Legal Services reports as follows:

"The Federal Crown expropriated a lane running north-south in Block 2, D.L. 318, Plan 3872, Northwest corner of Southwest Marine Drive and Hudson Street for the purpose of consolidation with other properties in that block to be used for the construction of a post office substation and construction of landscaping and approach roads for the Hudson Street Bridge. About one-third of the lane will be returned to the City along with other lands by agreement to be executed between the City and the Crown.

In order to consolidate the lands and register a new subdivision plan which will show the additional areas for streets the City must sign a Quit Claim to the lane. The City Engineer and Supervisor of Property and Insurance are satisfied that the consideration for the Quit Claim and acquisition of the lands by the Crown is reasonable."

The City Manager RECOMMENDS that the Supervisor of Property and Insurance execute the Quit Claim in consideration of the property exchange proposed by the Crown.

Manager's Report, October 24, 1975.....(PROPERTIES - 2)

CONSIDERATION

3. Park Board Rental Properties

The Director of Finance reports as follows:-

"On September 8, 1975, the Park Board passed the following resolution related to the discussion indicated.

'PARK BOARD RENTAL PROPERTIES

Commissioner Brown suggested that the Board review the rental and administration of Park Board properties, presently handled by the Property & Insurance Department at City Hall. It was noted that there are approximately 60 houses on property purchased for park purposes.

It was regularly moved and seconded,

RESOLVED: That the Board request City Council to instruct the Property & Insurance Department to submit to the Park Board a complete list of all park properties and returns thereon, and advise how they are administered and the costs, for a complete review by the Park Board.

- Carried.' .....

The request of the Park Board is submitted to Council for consideration."

The City Manager submits the above report of the Director of Finance to Council for CONSIDERATION.

FOR COUNCIL ACTION SEE PAGE(S) 355

STANDING COMMITTEE OF COUNCIL  
ON COMMUNITY SERVICES

I

October 16, 1975

A meeting of the Standing Committee of Council on Community Services was held in the No. 1 Committee Room, third floor, City Hall on Thursday, October 16, 1975 at approximately 3:30 p.m.

PRESENT: Alderman Rankin, Chairman  
Alderman Marzari  
Alderman Sweeney  
Alderman Volrich

ABSENT: Alderman Boyce

COMMITTEE  
CLERK: H. Dickson

INFORMATION

1. Edith Cavell Hospital - For Sale

On August 21, 1975 Mr. Alan White of Canada Permanent Trust offered to the City for sale the Edith Cavell Hospital at 2855 Sophia Street. His attached letter was referred to the Property and Insurance Division of the Finance Department for report to the Community Services Committee.

The Committee had before it for consideration a Manager's report dated September 23, 1975 (circulated).

A representative of the Property and Insurance Division, along with Mr. Alan White of Canada Permanent Trust and a representative of the owner appeared before the Committee this date.

The Chairman of the Committee referred to a memorandum from Alderman Warnett Kennedy inquiring as to whether the hospital property might be adaptable for displaced senior citizens, particularly on an interim basis.

Mr. White of Canada Permanent Trust advised the Committee the asking price of the owners had been \$600,000 for the building but they would accept any fair appraised value. It was explained the partnership owning the hospital has operated it for 20 years and wishes to get out of the hospital business, and the partnership is being dissolved.

During discussion the Committee noted the City is not in the business of operating hospitals and that to convert this special purpose building to another use would be fairly expensive.

Following discussion it was

RESOLVED

THAT the Manager's report dated September 23, 1975 on the offer of sale of the Edith Cavell Hospital be received for information, and that no action be taken by the Committee;

FURTHER THAT the Chairman and Vice-Chairman of the Committee raise the matter at an early meeting of the Vancouver Resources Board.

The meeting adjourned at approximately 3:55 p.m.



## II

REPORT TO COUNCILSTANDING COMMITTEE OF COUNCIL  
ON PLANNING AND DEVELOPMENT

OCTOBER 16, 1975

A meeting of the Standing Committee of Council on Planning and Development was held on Thursday, October 16, 1975, in the No. 2 Committee Room, Third Floor, City Hall, at approximately 3:35 P.M.

PRESENT: Alderman Bowers, Chairman  
Alderman Bird  
Alderman Cowie  
Alderman Harcourt  
Alderman Kennedy

COMMITTEE CLERK: M. L. Cross

INFORMATION1. Gastown Historic Area - Economic Study

The Committee considered a report of the City Manager dated 3rd October 1975 (on file in the City Clerk's Office), wherein the Director of Planning reports on an economic evaluation of the public and private revitalization efforts in the Gastown Historic Area. The results of the study are contained in the Report "Gastown Economic Study: 1966-1974" which was circulated at the meeting (copy on file in the City Clerk's Office).

Mr. Manfred Klenke of the Planning Department advised that the following economic activities and changes are apparent:

- The City of Vancouver invested \$1,071,000 in capital improvements in Gastown. The Federal and Provincial Government, utility companies and property owners together spent \$2,104,000 on three beautification schemes.
- From 1965 to 1973, the value of building permits increased by 2,180 percent from \$42,000 in 1965 to \$971,000 in 1973. This compares with a city-wide increase of 114 percent for the same period.
- Overall assessment increased by 147 percent from \$12,570,000 in 1966 to \$31,016,000 in 1974. This compares with a city-wide overall assessment increase for commercial and industrial properties of 127 percent.
- General Property Taxes increased from \$165,000 in 1966 to \$383,554 in 1974, an increase of 132 percent over 1966.
- The average value of real property market transaction increased from 19.9 million dollars in 1966 to at least 49 million dollars in 1974, an increase of 147 percent.
- The floor area occupied by wholesalers or left vacant decreased from 50 percent of the total floor area in Gastown in 1966 to 30 percent in 1974. The floor area occupied by retailers increased by 147 percent and the floor area occupied by restaurants and entertainment establishments more than doubled between 1966-1974. The office floor area increased by 61 percent."

Continued on Page 2. . .

Clause No. 1 Continued

Mr. Klenke stated that the figures were based on assessments up to 1973 and on early 1972 property values. Social costs and benefits are not quantified, but it appears from perusal of police records that the crime rate in Gastown has decreased. The study is complete but the figures will be compared with new ones in 1977. The Committee suggested that in any further studies the impact of the police "crack-down" on the 31 pubs in the area, as well as the additional street lighting in lanes, be considered.

## RESOLVED

THAT the report of the City Manager dated 3rd October 1975 and the Planning Department report "Gastown Economic Study: 1966-1974, September 1975" be received.

RECOMMENDATION2. Fairview Planning Programme - Status Report

The Committee considered a report of the City Manager dated 9th October 1975 (on file in the City Clerk's Office), wherein the Director of Planning reviews the progress of the Fairview Planning Programme and sets out the following objectives and target dates for future reports:

" (a) Preparation of Fairview Policy Plan

- outlining recommendations to Council for Land Uses/Urban Design, Transportation and Related Physical Improvements, Open Space, Housing and Social Mix, People Services and Community Involvement.

Mid-November - mail out draft proposals to residents and property owners.

Early-December- Public Meeting

Mid January - presentation to Standing Committee on Planning and Development.

(b) Implementation

February - report by Fairview Planning Committee on appropriate form of continuing community involvement.

April/May - report on appropriate amendments and zoning by-laws for Public Hearing (Planning and Legal Services)

- report on transportation, traffic, and related physical improvements (Engineering and Planning).

- report on housing and social mix (Housing, Planning, Social Planning).

- report to Parks Board on open space and park development work program (Parks Board staff and Planning Dept.) "

Mr. D. Cornejo, Fairview Area Planner, advised that by the beginning of February the Council-appointed Fairview Planning Committee may be phased out and they would come forward with recommendations on an appropriate form of continuing community involvement.

Clause No. 2 Continued

They feel they should have an involvement in the implementation stage. Mr. Cornejo indicated that after the beginning of February he would most likely not be Fairview Planner full time and would be available for other area planning work, but would be available for a part time basis for implementation of the Fairview Planning Programme.

RECOMMENDED

THAT the objectives and target dates for future reports relating to the Fairview Planning Programme, as set out in the City Manager's report dated 9th October 1975, be approved.

The Committee recessed at 4:00 P.M. and reconvened at 4:30 P.M. with the same members present.

3. 4584 West 1st Avenue

Dr. and Mrs. A. Pasparakis, the owners of the dwelling at the above address, Mr. B. Culling, their representative, and the following neighbouring residents were present:

Mr. & Mrs. M. Tomsich	-	4579 West 2nd Avenue
Mr. & Mrs. J. Hardy	-	4588 West 1st Avenue
Mr. & Mrs. R. Clarke	-	4569 West 2nd Avenue
Mr. G. Tomsich	-	4573 West 1st Avenue
Ms. P. Wilson	-	4570 West 1st Avenue
Mr. R. F. Hooley	-	4593 West 1st Avenue

The Committee considered a report of the City Manager dated 9th October 1975 in which the City Building Inspector states in part:

"On May 13, Council considered a report from the City Manager dated May 9, 1975, with respect to alterations being made on the house at 4584 West 1st Avenue. They also heard complaints from neighbours with respect to the alteration work. Council passed the following resolution:

'THAT Council direct the appropriate officials to enter into discussion with the owners to restore the property to its original exterior bulk form and the City be responsible for its share of the costs involved in the error caused by the civic administration in issuing the building permit.'

No work has been done since that date.

On September 29, 1975, the Building Inspector met with the owners of the subject house and the owners of 11 neighbours houses. There was considerable discussion during which time the owners showed proposals to slope the roof line of the new construction. The neighbours declared they would not be satisfied with less than the removal of the top floor. The Building Inspector stated that in his opinion the floor area of the house has not been increased."

Clause No. 3 Continued

"The owners stated they are not willing to restore the building to its original form or to remove the top floor.

The Director of Legal Services advises that there are three courses of action that may be taken:

1. The City may prosecute through the Provincial Courts; or
2. The City may launch proceedings for an injunction; or
3. The citizens in their own right may do so.

He advises further that since the owner was led to believe that his actions were legal because he was given a Development Permit and a Building Permit, the Court may not grant an injunction.

If an injunction is granted, the owner will have grounds for action against the City and the cost could be considerable."

Mr. D. Matheson, City Building Inspector, advised that the neighbours were concerned that the floor area of the dwelling would be increased but, in his opinion, this is not the case. Issuance of the Building Permit was in error as a Development Permit should have been obtained first. After issuance of the Building Permit, a Development Permit was issued. Four neighbours appealed the decision to the Board of Variance who ruled the decision of the Director of Planning to authorize the issuance of the Development Permit be quashed.

Dr. A. Pasparakis and Mr. B. Culling distributed photographs for the Committee's perusal, as well as letters dated 15th October 1975 (on file in the City Clerk's Office) from Mr. W. Yeoman, the former owner, and Mr. H. Rochester, real estate appraiser, indicating that the third (attic) floor had two finished rooms - a study at the front and a bedroom at the rear. Mr. Yeoman's letter stated the middle room was unfinished and used for storage.

The Committee considered a sketch of the dwelling (copy circulated) indicating the original and existing roof line, as well as a proposed modification, which would not be as much of a view obstruction.

The neighbours expressed their concerns, some of which are:

- people in the neighbourhood applying for permits have had to conform to the by-laws with respect to floor space ratio - they are concerned the subject dwelling exceeds by-law requirements.
- the proposed modification is not that suitable - the view is still lost.
- they want the house restored to its original bulk form.

It was noted that as the Board of Variance quashed the original Development Permit, the owners of the dwelling would have to apply for a new Development Permit Application. Mr. R. Spaxman, Director of Planning, requested some guidance with respect to "discretionary power" as there seemed to be a question of the level of amenity being affected by the building extending upwards. Alderman Harcourt felt that staff should be asked to look at dealing with a new Development Permit Application and see how the matter could be dealt with in Court. It was agreed the latter point should not be considered until a new Development Permit Application is looked at.

Standing Committee on Planning and Development  
October 16, 1975

Page 5

Clause No. 3 Continued

RECOMMENDED

THAT the Director of Planning, in consultation with the Director of Legal Services and other civic officials, be instructed to report on the possibility of a Development Permit being issued for a development which reflects the proposed design of the modified roof line as submitted to the Committee this day by the owners; acceptable dimensions to be set by the Director of Planning, taking into account Council's decision of 13th May 1975 to restore the property to its original bulk form.

(Ald. Bowers wished to be recorded as opposed.)

The meeting adjourned at 5:30 P.M.

FOR COUNCIL ACTION SEE PAGE(S) 351/356